

Steven Martin Aaron, Esq. (MO Bar No. 41653)

*Admitted Pro Hac Vice*

Gregory T. Wolf, Esq. (MO Bar No. 43717)

*Admitted Pro Hac Vice*

DENTONS US LLP

4520 Main Street, 11th Floor

Kansas City, MO 64111-7700

Telephone: (816) 460-2400

Facsimile: (816) 531-7545

steven.aaron@dentons.com

gregory.wolf@dentons.com

Martin L. Welsh, Esq.

Nevada State Bar No. 8720

LAW OFFICE OF HAYES & WELSH

199 North Arroyo Grande Blvd., Suite 200

Henderson, Nevada 89074

Telephone: (702) 434-3444

Facsimile: (702) 434-3729

mwelsh@lvlaw.com

*Attorneys for Defendant*

*CREDIT PAYMENT SERVICES, INC.*

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FLEMMING KRISTENSEN, individually,  
and on behalf of a class of similarly situated  
individuals,

Plaintiff,

v.

CREDIT PAYMENT SERVICES, INC.,  
a Nevada corporation,  
f/k/a MYCASHNOW.COM INC.,  
ENOVA INTERNATIONAL, INC.,  
an Illinois corporation,  
PIONEER FINANCIAL SERVICES, INC.,  
a Missouri corporation,  
LEADPILE LLC,  
a Delaware limited liability company, and  
CLICKMEDIA, LLC d/b/a NET1PROMOTIONS  
LLC, a Georgia limited liability company,

Defendants.

) Case No. 2:12-CV-00528-APG (PAL)  
)  
) **DEFENDANTS' JOINT MOTION TO**  
) **EXTEND CERTAIN DEADLINES**  
)  
) **SPECIAL SCHEDULING**  
) **REVIEW REQUESTED**

COME NOW Defendants Credit Payment Services, Inc. f/k/a MyCashNow.com, Inc. ("CPS"), Pioneer Services ("Pioneer"), LeadPile LLC ("LeadPile"), Enova International, Inc. (Enova), and ClickMedia, LLC d/b/a Net1Promotions, LLC ("ClickMedia") (collectively, "Defendants"), by and through their respective counsel, and hereby submit this Motion for Leave to Amend Certain Deadlines pursuant to the Scheduling Order (Doc. 93) entered by this Court July 23, 2013. In support of this Motion, Defendants state as follows:

1. This Court entered a Stipulated Discovery Plan and Scheduling Order on July 23, 2013 (the "Scheduling Order").

2. The Scheduling Order sets forth certain limited deadlines as to discovery issues relating to Class Certification, with an extended briefing schedule from the default rules as to class certification motions and motions for summary judgment, as agreed by the Parties at the time of submitting the proposed stipulated discovery plan and scheduling order.

3. Plaintiff filed its Motion to Certify Class (Doc 113) on October 31, 2013 ("Motion to Certify"). The Parties have fully briefed the Motion to Certify.

4. The Court granted Plaintiff's Motion to Certify on March 26, 2014 (Doc. 164).

5. An extension is appropriate to permit all parties to conduct merits discovery related to the recently certified class.

6. For the foregoing reasons, Defendants request the following extensions:

Description	Current Deadline	Proposed Deadline
Discovery Deadline	April 30, 2014	May 26, 2014 (60 days after the Court entered ruling on the Motion to Certify Class)
Deadline to Disclose Rebuttal Expert Witnesses	April 2, 2014	April 25, 2014 (30 days after the Court entered ruling on the Motion to Certify Class)
Deadline to File Dispositive Motions	May 30, 2014	July 24, 2014 (120 days after the Court entered ruling on the Motion to Certify Class)
Deadline for Filing Joint Pretrial Order and Fed. R. Civ. P. 26(a)(3) Disclosures	June 30, 2014	August 22, 2014 (150 days after the Court entered ruling on the Motion to Certify Class)

1  
2 7. The extensions requested are not the result of any undue delay, bad faith or dilatory  
3 motive. Good cause exists and the request is not submitted for any improper purpose. No party  
4 will be prejudiced by this delay.

5 8. The extensions requested are consistent with the dates provided to the Court in the  
6 March 3, 2014 Joint Status Report (Doc. 157).

7 9. Pursuant to Local Rule 26-4, Defendants state that significant discovery between the  
8 parties have occurred. All parties have served and responded to written discovery requests.  
9 However, on March 31, 2014, Plaintiff propounded his second set of interrogatories on CPS,  
10 Pioneer, and Enova; his third set of interrogatories on LeadPile; his second set of document  
11 requests on CPS, Pioneer, LeadPile, and Enova; and his first request for admissions on CPS,  
12 Pioneer, LeadPile, and Enova. Therefore, this extension in the discovery deadline is sought to  
13 complete this additional discovery, as well as expert witness testimony and third-party discovery.

14 10. Defendants were not able to complete discovery in the time permitted due to a number  
15 of factors. First, Plaintiff continues to produce documents in this action which highlight potential  
16 third-parties who may have discoverable information. Furthermore, Plaintiff has recently agreed  
17 to search for additional electronically stored information ("ESI") but has not yet finished  
18 producing such information. The requested extension of time to complete discovery will permit  
19 Defendants the opportunity to adequately investigate any ESI produced by Plaintiff.

20 11. Defendants have conferred with Plaintiff Flemming Kristensen ("Plaintiff") regarding  
21 the proposed extensions and Plaintiff will not agree to any of the requested extensions, except the  
22 discovery deadline.

23 WHEREFORE, Defendants Credit Payment Services, Inc., f/k/a Mycashnow.Com Inc.,  
24 Enova International, Inc., Pioneer Financial Services, Inc., Leadpile LLC, and Clickmedia, LLC  
25 d/b/a Net1promotions LLC, respectfully request this Court extend the herein noted deadlines as set  
26 forth in the proposed chart (paragraph 7), and such other and further relief as the Court deems

27 ...

28 ...

1 necessary, proper and just.

2 DATED: April 2, 2014

DENTONS US LLP

3 /s/ Steven Martin Aaron

4 Steven Martin Aaron, Esq.  
5 (pro hac vice) MO Bar # 41653  
6 Gregory T. Wolf, Esq.  
7 (pro hac vice) MO Bar #43717  
8 4520 Main Street, 11th Floor  
9 Kansas City, MO 64111-7100

LAW OFFICE OF HAYES & WELSH

10 /s/Martin L. Welsh

11 Martin L. Welsh, Esq.  
12 Nevada State Bar No. 8720  
13 199 North Arroyo Grande Blvd., Suite 200  
14 Henderson, Nevada 89074  
15 **Attorneys for Defendant**  
16 **Credit Payment Services, Inc.**

17 POLSINELLI PC

18 /s/Russell S. Jones, Jr.

19 Russell S. Jones, Jr. (Pro hac vice)  
20 James M. Humphrey, IV (Pro hac vice)  
21 900 W. 48th Place, Suite 900  
22 Kansas City, MO 64112

23 SNELL & WILMER, L.L.P.

24 /s/Chad R. Fears

25 Chad R. Fears, Esq., Nevada Bar No. 6970  
26 3883 Howard Hughes Parkway, Suite 1100  
27 Las Vegas, NV 89169  
28 **Attorneys for Defendant Pioneer Services**

HUSCH BLACKWELL LLP

29 /s/Ryan W. Mitchem

30 Ryan W. Mitchem, TN #022196  
31 Michael K. Alston, TN #013697  
32 736 Georgia Avenue, Suite 300  
33 Chattanooga, Tennessee 37402

HUTCHISON & STEFFEN

34 Patricia Lee, Nevada Bar No. 8287  
35 Joseph R. Ganley, Nevada Bar No. 5643  
36 Telia U. Williams, Nevada Bar No. 9359  
37 Peccole Professional Park

1 10080 West Alta Drive, Suite 200  
2 Las Vegas, Nevada 89145

3 *Attorneys for Defendant LeadPile LLC*

4 MCGUIRE WOODS LLP

5 By: /s/Brian O'Meara  
6 Brian O'Meara, IL #6275625  
7 77 West Wacker Drive, Suite 4100  
8 Chicago, IL 60601-1818  
9 Telephone: 312-849-8100  
Facsimile: 312-920-6132  
bomeara@mcguirewoods.com

10 LEWIS ROCA ROTHGERBER LLP

11 By: /s/Dan R. Waite  
12 Dan R. Waite, NV #4078  
13 3993 Howard Hughes Parkway, Ste. 600  
14 Las Vegas, NV 89169  
Telephone: 702-949-8200  
Facsimile: 702-949-8398  
dwaite@lrlaw.com

15 *Attorneys for Defendant Enova International, Inc.*

16  
17 **CERTIFICATE OF SERVICE**

18 Pursuant to FRCP 5(b), I certify that on April 2, 2014, I caused the above and foregoing  
19 document entitled DEFENDANTS' JOINT MOTION TO EXTEND CERTAIN DEADLINES to be served  
20 on all counsel of record through the Court's CM/ECF system.  
21

22  
23 /s/Martin L. Welsh  
24 An attorney for Credit Payment Services, Inc.  
25  
26  
27  
28